

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WASHINGTON STATE EMPLOYEES
CREDIT UNION,

Plaintiff,

v.

NAUTI BOY, Official Number 1051909, its
Engines, Machinery, Appurtenances, etc., *In
Rem*,

UNKNOWN HEIRS AND BENEFICIARIES
OF JOE VELASQUEZ, ANGELA
VELASQUEZ, AMANDA BECKER, and
UNKNOWN HEIRS AND BENEFICIARIES
OF JOSEPH VELASQUEZ, III, *In
Personam*,

Defendants.

CASE NO. 23-cv-987

EX PARTE ORDER FOR ISSUANCE OF
WARRANT OF MARITIME ARREST
UNDER SUPPLEMENTAL ADMIRALTY
RULE C(3)

This matter came before the Court on Plaintiff's Motion For Order Authorizing Issuance of Arrest Warrant (the "Motion"). Dkt. No. 4. Fed. R. Civ. P. Supp. Adm. & Mar. Cl. R. C(1) provides that "[a]n action in rem may be brought: (a) to enforce any maritime lien," or "(b) [w]henever a statute of the United States provides for a maritime action in rem or a proceeding analogous thereto." In its verified complaint, Plaintiff states Joe Velasquez granted Plaintiff a preferred marine mortgage on the vessel "NAUTI BOY, Official No. 1051909, its mast, bowsprit, boat, anchors, etc., and more fully described as 1996 Bayliner Marine Corp 4788 Pilot

EX PARTE ORDER FOR ISSUANCE OF WARRANT OF MARITIME ARREST UNDER SUPPLEMENTAL ADMIRALTY RULE C(3) - 1

House (EV), Hull # BLBA17EV1697 (the “Vessel”). Dkt. No. 1 ¶ 3. Plaintiffs represent that the Vessel is physically located within the Western District of Washington, Seattle Division. *Id.* ¶ 2.

The Court has reviewed the Plaintiff’s Motion and verified complaint and finds the conditions exist for an action *in rem* under Fed. R. Civ. P. Supp. Adm. & Mar. Cl. R. C(3)(1) and LAR 116. *See also* 46 U.S.C. § 31325(a) (stating “[a] preferred mortgage is a lien on the mortgaged vessel in the amount of the outstanding mortgage indebtedness secured by the vessel.”).

Accordingly, the Court ORDERS as follows:

- The Clerk will issue a warrant for the arrest of the defendant vessel NAUTI BOY, Official Number 1051909, its engines, machinery, appurtenances, etc.
- The arrest of the Vessel and its appurtenances will proceed in such steps and phases as deemed reasonably appropriate under the circumstances by the United States Marshal for the District, or a Substitute Custodian appointed by this Court, which may require movement of the Vessel.
- Any person claiming an interest in the property arrested pursuant to this order is entitled, upon application to the Court, to a prompt hearing at which they will be required to show why the arrest should not be vacated or other relief granted.
- A copy of this Order must be attached to and served with the warrant of maritime arrest.

Dated this 18th day of July, 2023.



Jamal N. Whitehead
United States District Judge